

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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HERIBERTO PALACIO,

Plaintiff,

v.

9:08-CV-0963  
(FJS/GHL)

NEW YORK STATE DIV. OF PAROLE, Albany, N.Y.;  
JANE/JOHN DOE, Parole Officer, Altona Corr. Fac.;  
WALTHALL, New York City Parole Bureau Chief;  
L. WALKER, Senior Parole Officer, Bronx, N.Y.;  
R. ROSADO, Senior Parole Officer, New York City, N.Y.;  
KELLY, Senior Parole Officer, Bronx, N.Y.;  
CLIFFORD JONES, Parole Officer, Bronx, N.Y.;  
AARAS, Parole Officer, Bronx, N.Y.;  
S. PENISTER, Parole Officer, Bronx, N.Y.;  
RAYMOND BRENNAN, Detective, N.Y.C. Police Dept.;  
and City of NEW YORK,

Defendants.

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**APPEARANCES:**

**OF COUNSEL:**

HERIBERTO PALACIO

*Pro Se*

#06-A-2318

Queensboro Correctional Facility

47-04 Van Dam Street

Long Island City, NY 11101

**FREDERICK J. SCULLIN, S.D.J.:**

**DECISION AND ORDER**

Presently before the Court is Magistrate Judge George H. Lowe's September 30, 2008  
Report-Recommendation in which he recommends that the instant action be dismissed, and the

Court having reviewed the Report-Recommendation and the entire file in this matter and no objections to said Report-Recommendation having been filed, the Court hereby

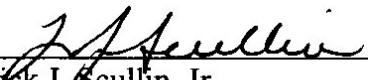
**ORDERS** that the Report-Recommendation filed by Magistrate Judge George H. Lowe on September 30, 2008 is, for the reasons stated therein, accepted in its entirety; and the Court further

**ORDERS** that plaintiff's complaint is **DISMISSED**, and the Court further

**ORDERS** that the Clerk of the Court enter judgment in favor of the defendants and close this case.

**IT IS SO ORDERED.**

Dated: November 12, 2008  
Syracuse, New York

  
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Frederick J. Scullin, Jr.  
Senior United States District Court Judge